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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/472,630	12/27/1999	DARREN NEUMAN	A4-4291	9014

24319 7590 02/25/2005

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EXAMINER
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ONUAKU, CHRISTOPHER O

ART UNIT	PAPER NUMBER
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2616

DATE MAILED: 02/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/472,630	<b>Applicant(s)</b> NEUMAN ET AL.	
	<b>Examiner</b> Christopher O. Onuaku	<b>Art Unit</b> 2616	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 October 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8, 16 and 18-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 16, 18-20 & 25-28 is/are allowed.
- 6) ☒ Claim(s) 1-8 and 21-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 1-8,&21-24 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:  
  
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
3. Claims 4&6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
4. Claim 4 recites the limitation "deciphering" in line 1, and claim 6 recites the limitation "deciphered" in line 1. There is insufficient antecedent basis for these limitations in the claims.

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-4,7,8&21-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Safai (US 6,715,003).

Regarding claim 1, Safai discloses data processing, including automatic remote development, printing, and forwarding of photographic prints based on digital images that are formed in a digital camera, comprising the method steps of:

a) communicating the image from an image capture device to the media device via a wireless connection ( see Fig.2 and the details of a camera; and Fig.6, the camera 100 and the service provider 600; col.14, line 59 to col.15, line 67), here the camera 100 is wirelessly connected to the service provider 600;

b) storing the communicated image in memory on the media device (see Fig.6; mass storage device 614; col.15, lines 13-26);

c) thereafter reformatting the stored image and recording the reformatted image on media device (see mass storage device 614; col.14, lines 52-67), here each digital photo is converted into an image file in a universal file format, such as JPEG, etc, and re-stored in the mass storage device; then each image file is attached to the Internet mail message as a file attachment;

e) wherein the recorded image on the removable media is capable of being accessed on media device (see col.15, line 52 to col.17, line 29).

Safai discloses a floppy disk, flexible disk, magnetic tape and CD-ROM, all of which removable recording medium.

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However, Safai fails to explicitly disclose wherein the mass storage device 614 is a removable device. It would have been obvious to use any of these removable storage devices as the mass storage device in order to store the photo images from the camera 100 in a removable storage medium.

Regarding claim 2, Safai discloses the method wherein the removable media device includes at least one of a digital versatile disk (DVD), digital video disk-erasable (DVD-e), VCD, and compact disc (see CD-ROM; col.19, lines 14-21).

Regarding claim 3, Safai discloses the method step comprises wherein the wireless connection includes at least one of an infrared link of radio frequency link (see radio-wave and infrared link; col.19, lines 1-37).

Regarding claim 4, Safai discloses the method step comprises wherein the deciphering includes decoding the stored image from a first format into a photoframe and encoding the decoded image into a second format (see col.6, lines 6-22; and col.16, line1 to col.17, line 58);

Regarding claim 7, Safai discloses wherein the deciphered image is played back as at least one of a photo album and slide show (see col.16, line 65 to col.17, line 16).

Regarding claim 8, Safai discloses the method step comprising wherein the recorded image includes at least one of text, music and voice clips (see col.12, line 55 to col.13, line 19).

Regarding claim 21, the claimed limitations of claim 21 are accommodated in the discussions of claim 1 above, including an image capture device for capturing the image (see Fig.1, portable camera 260; col.3, lines 9-38).

Regarding claim 22, the claimed limitations of claim 22 are accommodated in the discussions of claim 2 above.

Regarding claim 23, the claimed limitations of claim 23 are accommodated in the discussions of claim 3 above.

Regarding claim 24, the claimed limitations of claim 24 are accommodated in the discussions of claim 4 above.

7. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Safai in view of Roberts et al (US 6,496,222).

Regarding claim 5, Safai disclose teaches the method step comprises wherein the first format includes at least one of Graphic Interchange Format (GIF), Hypertext Markup Language (HTML), bitmap, and Joint Photographic Experts Group (JPEG)

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bitstream (see col.16, lines 30-50 and col.21, lines 20-34). Safai fails to explicitly disclose the method step wherein the second format includes Motion Pictures Experts Group (MPEG) bitstream.

Roberts et al teach an electronic still video camera including an improved electronic still camera which converts a still picture of an object or scene into an operator selectable compressed digital signal format for storage utilizing a compression/decompression algorithm, such as JPEG algorithm standard for example, formatted into PC compatible format retaining the images' color information, and stored on a PC compatible memory diskette, and MPEG standard that offers a compression ratio of 275:1 and greater (see col.10, lines 6-30)

It would have been obvious to modify Safai by realizing Safai with the means to compress/decompress an image in the MPEG standard, since the MPEG standard offers a high compression ratio of 275:1 and greater

8. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Safai in view of Roberts and further in view of Squilla et al .

Regarding claim 6, Safai and Roberts fail to explicitly disclose the method wherein wherein the deciphered image is recorded on a digital versatile disk (DVD) device.

Squilla et al teach a photographic system including a camera that is capable of interactive data communication with sources of digital data associated with one or more scenes comprising the image server 70, wherein the microprocessor 76 drives a writer

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91 to provide customized media 92 including compact disks (CDS) and digital video disks (DVD) (see Fig.2, col.5, line 64 to col.6, line 19).

It would have been obvious to modify Safai by realizing Safai with a DVD or CD as storage means, as taught by Squilla, in order to store camera images on the large storage space of a CD or DVD.

***Allowable Subject Matter***

9. Claims 16,18-20&25-28 are allowable over the prior art of record.

10. The following is a statement of reasons for the indication of allowable subject matter:

Regarding claim 16, the invention relates to a system and method for communicating an image to a removable media device, which includes communicating the image from an image capture device to the removable media device over a wireless connection, wherein the communicated image is stored in memory on the removable media device, and the stored image is deciphered.

The closest references Safai (US 6,715,003) discloses data processing, including automatic remote development, printing, and forwarding of photographic prints based on digital images that are formed in a digital camera, and Roberts et al (US 6,496,222) teach an electronic still video camera including an improved electronic still camera which converts a still picture of an object or scene into an operator selectable compressed digital signal format for storage utilizing a compression/decompression algorithm, such as JPEG algorithm standard for example, formatted into PC compatible



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format retaining the images' color information, and stored on a PC compatible memory diskette.

However, Safai and Roberts et al fail to explicitly teach a method for communicating and formatting an image from an image capture device, where the method comprises querying the image storage device for a supported format, and if the supported format differs from an image format reformatting the image to the supported format without user intervention and communicating the image from the image capture device to the image storage device.

Regarding claim 25, the invention relates to a system and method for communicating an image to a removable media device, which includes communicating the image from an image capture device to the removable media device over a wireless connection, wherein the communicated image is stored in memory on the removable media device, and the stored image is deciphered.

The closest references Safai (US 6,715,003) discloses data processing, including automatic remote development, printing, and forwarding of photographic prints based on digital images that are formed in a digital camera, and Roberts et al (US 6,496,222) teach an electronic still video camera including an improved electronic still camera which converts a still picture of an object or scene into an operator selectable compressed digital signal format for storage utilizing a compression/decompression algorithm, such as JPEG algorithm standard for example, formatted into PC compatible format retaining the images' color information, and stored on a PC compatible memory diskette.

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However, Safai and Roberts et al fail to explicitly teach a system for communicating and formatting an image from an image capture device, where the system comprises wherein the image capture device queries the image storage device for a supported format, deciphers the image to the supported format if the supported format differs from the image format, and communicates the image to the image storage device for storage to the removable media.

### ***Conclusion***

11. Any inquiry concerning this communication or earlier communications from this examiner should be directed to Christopher Onuaku whose telephone number is (703) 308-7555. The examiner can normally be reached on Tuesday to Thursday from 7:30 am to 5:00 pm. The examiner can also be reached on alternate Monday.

If attempts to reach the examiner by telephone is unsuccessful, the examiner's supervisor, Andrew B. Christensen, can be reached on (703) 308-9644.

#### **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

#### **or faxed to:**

(703) 872-9314, (for formal communications intended for entry)

and (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

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Any inquiry of a general nature or relating to the status of this application should be directed to Customer Service whose telephone number is (703) 306-0377.

*Leo*  
COO

2/16/05

*Robert Chevalier*  
ROBERT CHEVALIER  
PRIMARY EXAMINER